

PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/788,150
Filing Date	February 16, 2001
First Named Inventor	Stewart et al.
Art Unit	3624
Examiner Name	Charles R. Kyle
Attorney Docket Number	BEAS-01033US0

Total Number of Pages in This Submission

N/A

ENCLOSURES

(Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
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| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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Remarks :

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Fliesler Meyer LLP - Customer Number 23910

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Printed Name Karl F. Kenna

Date March 1, 2005

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45,445

CERTIFICATE OF TRANSMISSION/MAILING

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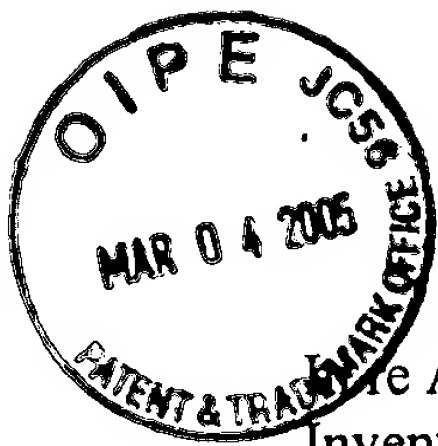
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Typed or printed name Teri Muir

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3-2-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s): Stewart et al.
Appln. No.: 09/788,150
Confirm. No.: 4289
Filed: February 16, 2001
Title: OPEN MARKET COLLABORATION SYSTEM
FOR ENTERPRISE WIDE ELECTRONIC
COMMERCE

PATENT APPLICATION

Art Unit: 3624
Examiner: Charles R. Kyle

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

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Teri Muir (Signature)
Teri Muir
Signature Date: 3-2-05

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☐ The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as still required, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).
- ☒ The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed

under 37 C.F.R. §1.98(d)(1).

____ If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

✓ *PTA Statement under 37 C.F.R. §1.704(d).* Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

Copy of International Search Report attached for review.

This statement should be considered because:

✓ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

____ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

- ____ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
- ____ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

____ **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the Issue Fee;
-- AND --
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

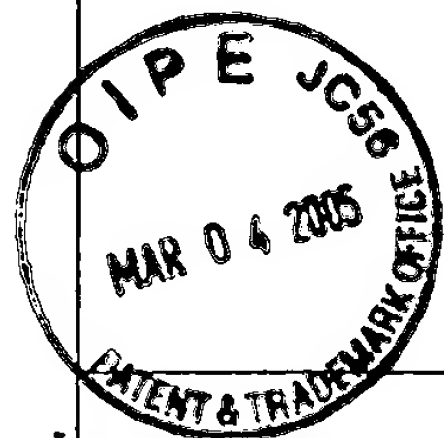
Respectfully submitted,

FLIESLER MEYER LLP

Date: March 1, 2005

By: Karl F. Kenna
Karl F. Kenna
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Form PTO-1449
(Substitute)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
Information Disclosure Statement
BY APPLICANT
(Use several sheets if necessary)

Attorney Docket Number

BEAS-01133US0

Serial Patent Number

09/788,150

Applicant/Patent Owner

Stewart et al.

Filing/Issue Date

February 16, 2001

Group Art Unit

3624

U.S. PATENTS

Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	6,119,149	09/12/00	Notani	709	205	06/05/98
	6,226,675 B1	05/01/01	Meltzer et al.	709	223	10/16/98
	6,230,287 B1	05/08/01	Pinard et al.	714	31	09/03/98
	6,569,693 B1	07/15/03	Borwankar	709	219	06/22/99

U.S. PATENT PUBLICATIONS

Examiner Initial	Patent Application Publication Number	Publication Date	Applicant
	2002/0016759 A1	02/07/02	Marcready et al.
	2002/0165936 A1	11/07/02	Alston et al.
	2003/0110117 A1	06/12/03	Saidenberg et al.
	2003/0018665 A1	01/23/03	Dovin et al.
	2004/0133660 A1	07/08/04	Junghuber et al.
	2004/0225995 A1	11/11/04	Marvin et al.

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

	Paul, Laura Gibbone, "RosettaNet: Teaching business to work together", 10/1/1999. http://www.developer.com/xml/article.php/616641

Examiner

Date Considered

***EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.

Notice of References Cited

Application/Control No.

09/785,693

Applicant(s)/Patent Under
Reexamination
STEWART ET AL.

Examiner

Dohm Chankong

Art Unit

2152

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,226,675	05-2001	Meltzer et al.	709/223
	B	US-6,230,287	05-2001	Pinard et al.	714/31
	C	US-6,594,693	07-2003	Borwankar, Nitin A.	709/219
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

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JAN 19 2005

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FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U	Paul, Laura Gibbons, "RosettaNet: Teaching businesses to work together", 10/1/1999. . http://www.developer.com/xml/article.php/616641				
	V					
	W					
	X					

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707 05(a))

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.